

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN EMANUEL BONHAM,

Plaintiff,

Case No. 1:23-cv-612

v.

Honorable Ray Kent

UNKNOWN LAURAIN et al.,

Defendants.

ORDER OF TRANSFER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Plaintiff presently is incarcerated at the Central Michigan Correctional Facility (STF) in St. Louis, Gratiot County, Michigan, and the events giving rise to Plaintiff's action occurred at that facility. Plaintiff sues the Michigan Department of Corrections, STF Doctor Unknown Laurain, and Corizon Health, Inc. (Compl., ECF No. 1, PageID.2.) In his *pro se* complaint, Plaintiff alleges that Defendant Laurain sexually harassed and assaulted Plaintiff during a healthcare appointment at STF on May 17, 2023. *See generally id.*

Under the revised venue statute, venue in federal-question cases lies in the district in which any defendant resides or in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). Further, pursuant to 28 U.S.C. § 1404(a), “[f]or the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” 28 U.S.C. § 1404(a). Here, the events underlying the complaint occurred in Gratiot County. Further, Defendant Laurain—the individual Defendant alleged to have had personal involvement in the

events—is a public official serving in Gratiot County, and he “resides” in that county for purposes of venue over a suit challenging official acts. *See Butterworth v. Hill*, 114 U.S. 128, 132 (1885); *O’Neill v. Battisti*, 472 F.2d 789, 791 (6th Cir. 1972). Gratiot County is within the geographical boundaries of the Eastern District of Michigan. 28 U.S.C. § 102(a). Under these circumstances, in the interest of justice, the Court will transfer this action to the Eastern District of Michigan.

Accordingly,

IT IS ORDERED that this case be transferred to the United States District Court for the Eastern District of Michigan. **It is noted that this Court has not decided Plaintiff’s request to proceed *in forma pauperis* (ECF No. 1, PageID.6; ECF No. 2), nor has the Court reviewed Plaintiff’s complaint under 28 U.S.C. §§ 1915(e)(2), 1915A, or under 42 U.S.C. § 1997e(c).**

Dated: July 3, 2023

/s/ Ray Kent
Ray Kent
United States Magistrate Judge